

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

CASE NO. 18-cr-20351

v.

HON. NANCY G. EDMUNDS

ABIODUN FABODE,

Defendant.

MOTION FOR EXTENSION TO FILE RESPONSE BRIEF

The United States of America, by its undersigned attorneys, hereby moves this Court and respectfully submits this motion for extension of time to file the responsive pleading to defendant's motion to vacate or reduce sentence pursuant 28 U.S.C. 2255 (ECF No. 304). The government requests a 60-day extension of time to file its responsive brief, to and including August 30, 2023.

In support of this motion, the government states as follows:

1. The defendant filed a motion to vacate, set aside or correct his sentence on March 24, 2023.
2. The Court ordered the government to submit its response on or before June 30, 2023.
3. In his motion the defendant alleges his defense attorney was ineffective

during the representation of him throughout this litigation, including trial.

4. The Assistant United States Attorney (AUSA) who was assigned to this matter and tasked with responding to defendant's claims, is no longer employed at the United States Attorney's Office.

5. To date, the undersigned AUSA has not had an opportunity to discuss defendant's claims with his prior counsel in this matter.

6. Due to the nature of the allegations, counsel requires additional time to gather information to adequately respond to the allegations.

7. The government was unable to seek concurrence pursuant to Local Court Rule 7.1., because the defendant is not represented by counsel and is incarcerated.

For these reasons, the government requests an extension of time to file its brief to and including August 30, 2023.

Respectfully submitted,

DAWN N. ISON
United States Attorney

s/Brandy R. McMillion
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Dated: June 20, 2023

CERTIFICATE OF SERVICE

I hereby certify that on June 20, 2023, I electronically filed the foregoing document with the Clerk of the Court of the Eastern District of Michigan using the ECF filing system.

I further certify that a copy of the foregoing will be mailed to the defendant at the address listed below:

Abiodun Fabode #56756-039
FCI Morgantown
Federal Correctional Institution
P.O. Box 1000
Morgantown, WV 26507

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